# UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NORTH CAROLINA GREENVILLE DIVISION

IN RE:	)	
	)	Case No. 19-01229-5-JNC
CAH ACQUISITION COMPANY 12, LLC, d/b/a	)	
FAIRFAX COMMUNITY HOSPITAL,	)	Chapter 11
	)	-
Debtor.	)	
	)	

# TRUSTEE'S FINAL REPORT AND REQUEST FOR FINAL ORDERS APPROVING OF ADMINISTRATIVE EXPENSES AND ENTRY OF FINAL DECREE PURSUANT TO BANKRUPTCY RULE 3022 CLOSING THE CASE

Thomas W. Waldrep, Jr., the undersigned pre-dismissal Chapter 11 trustee (the "<u>Trustee</u>") for CAH Acquisition Company 12, LLC d/b/a Fairfax Community Hospital (the "<u>Debtor</u>"), hereby makes this Final Report and Request for Final Decree Closing the Case pursuant to Rule 3022 of the Federal Rules of Bankruptcy Procedure and states as follows:

- 1. A petition under Chapter 11 of the United States Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.*, was filed on March 17, 2019 (the "Petition Date"). The Trustee was appointed on March 18, 2019.
- 2. On March 22, 2019, the Fairfax Healthcare Authority filed its emergency motion to dismiss the Debtor's case (the "Motion to Dismiss") [Dkt. No. 22].
- 3. On March 28, 2019, the Court held a hearing on the Motion to Dismiss, and on March 29, 2019, the Court entered its Order dismissing the Debtor's case (the "Order Dismissing Case") [Dkt. No. 40]. The Order Dismissing Case directed the Trustee to retain \$10,000 from the \$17,767 known to be held in the Debtor's U.S. Bank provider accounts and send the sum of such funds to Fairfax Healthcare Authority. The Trustee was also aware of a local bank account at Armstrong Bank in Oklahoma, but the short pendency of the case and pendency of the Motion to Dismiss prevented the Trustee from obtaining access to or control over that account.
- 4. Unbeknownst to all parties as well as the Court, on March 25, 2019, the New York City Marshal Stephen W. Biegel garnished a total of \$14,674.66 (the "Garnishment") from the Debtor's US Bank accounts on behalf of creditor GTR Source LLC. The Garnishment was the only post-petition debit from either of the Debtor's accounts. Redacted copies of the Debtor's March 2019 US Bank account statements are attached hereto as **Exhibit A**.
- 5. On April 1, 2019, the next business day following the entry of the Order Dismissing Case, the Fairfax Healthcare Authority placed the Debtor into a voluntary Chapter 11 Bankruptcy Case in the United States Bankruptcy Court for the Northern District of Oklahoma, Case No. 19-10641 (the "Oklahoma Case").

- 6. On April 4, 2019, counsel for the Debtor's affiliates, debtors in jointly-administered bankruptcy cases pending before this Court, lead Case No. 19-00730, filed a motion to, *inter alia*, transfer the venue of the Oklahoma Case to this Bankruptcy Court.
- 7. On April 11, 2019, the Court entered its Order transferring the Oklahoma Case to the Eastern District of North Carolina. On April 12, 2019, the Court entered an amended Order to clarify that such transfer of venue was effective the day the Order was entered, abrogating the 14-day period to appeal such Order. The Debtor's current case, Case No. 19-01697 (the "<u>Transferred Case</u>"), remains pending before this Court. Due to the short period of time between the Order Dismissing Case, the filing of the Oklahoma Case, and the Order transferring venue, as well as the Garnishment, the Trustee never sent the any funds to the Fairfax Health Authority. The final posted balance of the Debtor's US Bank accounts prior to the filing of the Oklahoma Case was \$7,139.24.
- 8. On April 17, 2019, the Court entered the Order approving the employment of Hendren, Redwine & Malone, PLLC ("<u>Hendren Redwine</u>") as co-counsel for the Trustee during the pendency of the case. On April 19, 2019, the Court entered the Order approving the employment of Waldrep LLP as co-counsel for the Trustee during the pendency of the case. On May 2, 2019, the Court entered the Order approving the employment of Grant Thornton LLP ("<u>Grant Thornton</u>") as financial consultant for the Trustee during the pendency of the case.
- 9. On May 1, 2019, co-counsel for the Trustee, Waldrep LLP, submitted an initial and final application for compensation seeking \$17,921.50 in fees and \$118.10 in expenses. On July 3, 2019, the Court entered an order approving such application in the amount of \$17,700.00 for fees and \$188.10 for expenses.
- 10. Following the entry of the Dismissal Order, the Court approved the following applications for compensation of fees and expenses. The Trustee has made no disbursements upon the below approved applications:
  - a. On May 30, 2019, the Court entered the Order approving the application for compensation of Hendren Redwine in the amount of \$3,995.75 in fees and \$49.70 in expenses; and
  - b. On July 3, 2019, the Court entered the Order approving the application for compensation of Waldrep LLP in the amount of \$3,998.00 in fees and \$0.00 in expenses.
- 11. Due to the short period of time between the Petition Date and the Order Dismissing Case, the intervening Oklahoma Case, and the Garnishment, the Trustee was prevented from sequestering or transferring any funds as ordered in the Order Dismissing Case. As a result, the Trustee never transferred funds from the Debtor's US Bank accounts to another account or payee,

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<sup>&</sup>lt;sup>1</sup> Due to the pendency of the Debtor's first bankruptcy case, the funds debited by the Garnishment were held in a U.S. Bank suspense account and refunded to the Debtor's US Bank accounts after the commencement of the Oklahoma Case.

nor did the Trustee make any disbursements from any of the Debtor's accounts. The Trustee's access to and control over the Debtor's US Bank accounts was effectively limited to an information-only basis prior to the Order Dismissing Case. The assets of the Debtor's bankruptcy estate in the Oklahoma Case became the bankruptcy estate property of the Debtor's Transferred Case.

The Trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. § 12. 1106 during the pendency of the case. The Trustee was able to obtain records for the Debtor's US Bank accounts following the dismissal of the Debtor's first bankruptcy case. On the Petition Date, the total balance in those accounts was \$13,941.06. Prior to the Order Dismissing Case, an additional \$7,872.84 was deposited into the US Bank accounts by various third-party payors; \$14,674.66 was debited from the US Bank accounts through the Garnishment, and the final balance of the U.S. Bank account \$7,139.24 was subsumed into the Debtor's estate in the Transferred Case. As a result, no funds shall be distributed on either approved application for compensation entered in this case.

Pursuant to Sections 1106(a)(1) and 704(a)(9) of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 5009, the Trustee hereby declares that the foregoing report is true and correct to the best of his knowledge. The Trustee forgoes and waives any request for any compensation to which he may be entitled under Section 326 of the Bankruptcy Code. The Trustee further states that no payments have been made or promised to him for services rendered or to be rendered in any capacity in this case. No agreement or understanding exists between the Trustee and any other person for sharing compensation received or to be received.

WHEREFORE, the Trustee respectfully requests the Bankruptcy Administrator to approve this report, and, the estate property subject to administration by the Trustee being fully administered, requests the entry of final orders approving the above administrative expenses on a final basis and entry of a final decree by this Court pursuant to Bankruptcy Rule 3022 closing this case.

Respectfully submitted, this the 15th day of October, 2020.

## WALDREP WALL BABCOCK & BAILEY PLLC

/s/ Thomas W. Waldrep, Jr. Thomas W. Waldrep, Jr. (NC State Bar No. 11135)

James C. Lanik (NC Bar No. 30454) Jennifer B. Lyday (NC Bar No. 39871)

1076 W. Fourth Street Winston-Salem, NC 27101 Telephone: 336-717-1280

Telefax: 336-717-1340

Email: notice@waldrepwall.com

## - and -

# HENDREN, REDWINE & MALONE, PLLC

Jason L. Hendren (NC State Bar No. 26869) Rebecca F. Redwine (NC State Bar No. 37012) 4600 Marriott Drive, Suite 150 Raleigh, NC 27612 Telephone: 919-420-7867

Telephone: 919-420-7867 Telefax: 919-420-0475

Email: khendren@hendrenmalone.com rredwine@hendrenmalone.com

Attorneys for the Trustee

# **EXHIBIT A**





ANALYZED CHECKING

Mar 15 Wholesale Lockbox Deposit

P.O. Box 1800 Saint Paul, Minnesota 55101-0800

9238 TRN S Y ST01

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Page Acquitt Number: 3952
Statement Period:
Mar 1, 2019

through Mar 31, 2019



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CAH ACQUISITION COMPANY # 12 LLC FAIRFAX COMMUNITY HOSPITAL 1700 SWIFT AVE STE 200 N KANSAS CITY MO 64116-3834 To Contact U.S. Bank

Commercial Customer

**Service:** 1-866-329-7770

U.S. Bank accepts Relay Calls

Internet: usbank.com

ANALIZEDIGHEGRING		Account Number	Wernber PDIC
U.S. Bank National Association		Account Number	-3952
Account Summary			
# Items	¢ 2.450.22		
Beginning Balance on Mar 1	\$ 3,150.33 7,704.16		
Other Deposits 41	7,794.16		
Other Withdrawals 1	8,905.79-		
Ending Balance on Mar 31, 2019	\$ 2,038.70		
Other Deposits			
Date Description of Transaction		Ref Number	Amount
Mar 1 Electronic Deposit	From Optum Patient As	\$	15.00
Mar 1 Electronic Deposit	From Equitable Life a		89.27
	, ion Equitable Lile a		, , , , , , , , , , , , , , , , , , ,
Mar 1 Wholesale Lockbox Deposit	Location/Ser#		95.30
Mar 4 Wholesale Lockbox Deposit	Location/Ser#		366.15
Mar 5 Electronic Deposit	From HNB - ECHO		51.60
Mar 6 Electronic Deposit	From HEALTH CARE AUTH		517.99
Mar 7 Electronic Deposit	From HNB - ECHO	p	57.55
Mar 7 Wholesale Lockbox Deposit	Location/Ser#		1,492.82
Mar 8 Wholesale Lockbox Deposit	Location/Ser#		219.32
Mar 11 Electronic Deposit	From HNB - ECHO		16.60
Mar 11 Electronic Deposit	From Optum Patient As		50.00
	From FEP BCBSOK	7	044.40
Mar 11 Electronic Deposit	FIUIII FEP BUBSUK	<u></u>	241.16
Mar 12 Electronic Deposit	From HNB - ECHO	•	23.40
			_0
Mar 13 Electronic Deposit	From HNB - ECHO		87.55
		7	
Mar 13 Wholesale Lockbox Deposit	Location/Ser#		120.60
Mar 13 Electronic Deposit	From HEALTH CARE AUTH		351.14
Mar 14 Electronic Deposit	From HNB - ECHO		9.80
Ivial 14 Electronic Deposit	FIOIII HINB - ECHO		9.60
Mar 14 Electronic Deposit	From PacifiCare Life		70.35
Mar 14 Electronic Deposit	From UNITEDHEALTHCARE		129.54
NAMES DE SANCIA DE CONTRACTO DE			and the second
Mar 14 Wholesale Lockbox Deposit	Location/Ser#		495.00
Mar 15 Electronic Deposit	From HNB - ECHO		57.55

Location/Ser#



#### **BALANCE YOUR ACCOUNT**

Doc 78 o kelectrical Of also for artisations obtained by all also was a correct unless you notify us of an error.

Jutstanding Deposits	
DATE	AMOUNT
TOTAL	¢

Outstanding Withdrawals				
AMOUNT				
\$				

- 1. List any deposits that do not appear on your statement in the Outstanding Deposits section at the left. Record the total.
- Check off in your checkbook register all checks, withdrawals (including Debit Card and ATM) and automatic payments that appear on your statement. Withdrawals that are NOT checked off should be recorded in the Outstanding Withdrawals section at the left. Record the total.

3.	Enter the ending balance shown on this statement.	\$
4.	Enter the total deposits recorded in the Outstanding Deposits section.	\$
5.	Total lines 3 and 4.	\$
6.	Enter the total withdrawals recorded in the Outstanding Withdrawals section.	\$
7.	Subtract line 6 from line 5. This is your balance.	\$

- Enter in your register and subtract from your register balance any checks, withdrawals or other debits (including fees, if any) that appear on your statement but have not been recorded in your register.
- 9. Enter in your register and add to your register balance any deposits or other credits (including interest, if any) that appear in your statement but have not been recorded in your register.
- 10. The balance in your register should be the same as the balance shown in #7. If it does not match, review and check all figures used, and check the addition and subtraction in your register. If necessary, review and balance your statement from the previous month.

### IMPORTANT DISCLOSURES TO OUR CONSUMER CUSTOMERS

## In Case of Errors or Questions About Your Checking, Savings, ATM, Debit Card, ACH, Bill Pay and Other Electronic Transfers

If you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt, we must hear from you no later than 60 days\* after we sent you the FIRST statement on which the error or problem appeared. Telephone us at the number listed on the front of this statement or write to us at U.S. Bank, EP-MN-WS5D, 60 Livingston Ave., St. Paul, MN 55107.

- · Tell us your name and account number.
- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- · Tell us the dollar amount of the suspected error.

We will determine whether an error occurred within 10 business days after we hear from you and will correct any error promptly. If we need more time, we may take up to 45 days to investigate your complaint. For errors involving new accounts, point-of-sale, or foreign-initiated transactions, we may take up to 90 days to investigate your complaint. If we decide to do this, we will credit your account within 10 business days for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation. If we ask you to put your complaint or question in writing and we do not receive it within 10 business days, we may not credit your account.

\*Please note: Paper draft and paper check claims must be disputed within 30 days per Your Deposit Account Agreement.

### IMPORTANT DISCLOSURES TO OUR BUSINESS CUSTOMERS

Errors related to any transaction on a business account will be governed by any agreement between us and/or all applicable rules and regulations governing such transactions, including the rules of the National Automated Clearing House Association (NACHA Rules) as may be amended from time to time. If you think this statement is wrong, please telephone us at the number listed on the front of this statement immediately.

# CONSUMER BILLING RIGHTS SUMMARY REGARDING YOUR RESERVE LINE What To Do If You Think You Find A Mistake on Your Statement

If you think there is an error on your statement, write to us at:

U.S. Bank, P.O. Box 3528, Oshkosh, WI 54903-3528.

In your letter, give us the following information:

- Account information: Your name and account number.
- Dollar Amount: The dollar amount of the suspected error.
- Description of problem: If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement.

You must notify us of any potential errors in writing. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question. While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- · While you do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

Reserve Line Balance Computation Method: To determine your Balance Subject to Interest Rate, use the dates and balances provided in the Reserve Line Balance Summary section. The date next to the first Balance Subject to Interest is day one for that balance and is applicable up to (but not including) the date of the next balance (if there is one). We multiply the Balance Subject to Interest by the number of days it is applicable and add them up to get the same number of days in the billing cycle. We then divide the result by the number of billing days in the cycle. This is your Balance Subject to Interest Rate. Any unpaid interest charges and unpaid fees are not included in the Balance Subject to Interest. The \*\*\*INTEREST CHARGE\*\*\* begins from the date of each advance.

#### REPORTS TO AND FROM CREDIT BUREAUS FOR RESERVE LINES

We may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

#### **CONSUMER REPORT DISPUTES**

We may report information about account activity on consumer and small business deposit accounts and consumer reserve lines to Consumer Reporting Agencies (CRA). As a result, this may prevent you from obtaining services at other financial institutions. If you believe we have inaccurately reported information to a CRA, you may submit a dispute by calling 844.624.8230 or by writing to: U.S. Bank Attn: Consumer Bureau Dispute Handling (CBDH), P.O. Box 3447, Oshkosh, WI 54903-3447. In order for us to assist you with your dispute, you must provide: your name, address and phone number; the account number; the specific information you are disputing; the explanation of why it is incorrect; and any supporting documentation (e.g., affidavit of identity theft), if applicable.





Statement Period: Mar 1, 2019 through

Mar 31, 2019



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ANALYZED CHECKING  U.S. Bank National Association Accordate Other Deposits (continued)	ount Numbe	CONTINUED 1 1 -395
U.S. Bank National Association Acco	• • • • • • • • • • • • • • • • • • • •	
Other Deposits (continued)		
Date Description of Transaction Ref Number		Amount
Mar 15 Electronic Deposit From HNB - ECHO		140.18
Mar 15 Electronic Deposit From UMR		180.00
Mar 18 Electronic Deposit From PAY PLUS		23.40
Mar 18 Wholesale Lockbox Deposit Location/Ser#		E0.00
Mar 18 Wholesale Lockbox Deposit Location/Ser#  Mar 18 Electronic Deposit From HNB - ECHO		50.00 359.93
Mar 18 Electronic Deposit From BCBSOK		378.96
Mar 19 Electronic Deposit From HNB - ECHO		6.93
Mar 20 Electronic Deposit From HEALTH CARE AUTH		190.55
Mar 21 Wholesale Lockbox Deposit Location/Ser#		852.05
Mar 22 Wholesale Lockbox Deposit Location/Ser#		165.30
Mar 25 Electronic Deposit From BCBSOK		140.63
Mar 25 Wholesale Lockbox Deposit Location/Ser#		150.30
Mar 27 Electronic Deposit From HNB - ECHO		16.60
Mar 27 Electronic Deposit From HNB - ECHO		57.55
Mar 27 Electronic Deposit From UnitedHealthcare		58.14
Mar 27 Wholesale Lockbox Deposit Location/Ser#		169.90
Mar 28 Electronic Deposit From UHC GOVERNMENT E		68.14
Mar 29 Electronic Deposit From HNB - ECHO		32.01
Mar 29 Wholesale Lockbox Deposit Location/Ser#		130.60
Total Other Deposits	\$	7,794.16
Other Withdrawals		
Date Description of Transaction Ref Number		Amount
Mar 25 NY GARNISHMENT GT R SOURCE LLC	\$	8,905.79-
Total Other Withdrawals	\$	8,905.79-
Balance Summary		
Date Ending Balance Date Ending Balance Date	Ending	
Mar 1 3,349.90 Mar 12 6,386.49 Mar 21		955.32
Mar 4 3,716.05 Mar 13 6,945.78 Mar 22		120.62
Mar 5 3,767.65 Mar 14 7,650.47 Mar 25		505.76
Mar 6 4,285.64 Mar 15 8,093.50 Mar 27		807.95
Mar 7 5,836.01 Mar 18 8,905.79 Mar 28		876.09
Mar 8 6,055.33 Mar 19 8,912.72 Mar 29	2,	038.70
Mar 11 6,363.09 Mar 20 9,103.27		
Balances only appear for days reflecting change.		



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# **Business Statement**

Saint Paul, Minnesota 55101-0800

TRN

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Mar 19 Image Cash Letter Deposit

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Statement Period:

Mar 1, 2019

through Mar 31, 2019



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CAH ACQUISITION COMPANY 12 LLC DBA FAIRFAX COMMUNITY HOSPITAL 1700 SWIFT AVE STE 200 N KANSAS CITY MO 64116-3834

7 To Contact U.S. Bank

**Commercial Customer** 

Service: 1-800-377-3053

U.S. Bank accepts Relay Calls

Internet: usbank.com

ANALYZED CHECKING	3			Member FDIC
U.S. Bank National Association			Account Nu	mber -4817
Account Summary				
•	# Items			
Beginning Balance on Mar 1	\$	2,061.44		
Other Deposits	44	8,918.45		
Other Withdrawals	2	5,879.35-		
Ending Balance on Mar	r 31, 2019 \$	5,100.54		
Other Deposits				
Date Description of Transact	tion		Ref Number	Amount
Mar 1 MERCH		PAWNEE DEPOSIT	\$	5.00
Mar 4 Image Cash Letter Dep	oosit			10.16
Mar 4 Image Cash Letter Dep				11.70
Mar 4 Image Cash Letter Dep				23.40
Mar 4 MERCH		PAWNEE DEPOSIT		39.00
Mar 5 Image Cash Letter Dep	oosit			25.00
Mar 5 Image Cash Letter Dep				83.30
Mar 5 MERCH		PAWNEE DEPOSIT		100.50
Mar 6 MERCH		PAWNEE DEPOSIT		35.43
Mar 6 Image Cash Letter Dep	oosit			79.34
Mar 6 Electronic Deposit		From HEALTH CARE AUTH		676.47
'				
Mar 6 Electronic Deposit		From HEALTH CARE AUTH		771.10
Mar 7 Electronic Deposit		From BCBSOK		38.74
granomonago gas <del>manago g</del>				
Mar 7 MERCH		PAWNEE DEPOSIT		95.00
Mar 7 Electronic Deposit		From BCBSOK		112.72
Mars O Instant Cook I allow Des	. 2 2 8 6 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7			40.00
Mar 8 Image Cash Letter Dep				40.00
Mar 8 Image Cash Letter Dep				117.00
Mar 11 Image Cash Letter Dep				10.00
Mar 11 Image Cash Letter Dep	DOSIT	E		78.38
Mar 13 Electronic Deposit		From HEALTH CARE AUTH		454.04
Mar 13 Electronic Deposit	Robolika	From HEALTH CARE AUTH		713.96
iviai 13 Electronic Deposit		FIGHT CARE AUTT		713.90
Mar 14 Electronic Deposit		From FEP BCBSOK		11.71
Mai 14 Liectionic Deposit		TIONT ET BODOOK	0	1141
Mar 14 Electronic Deposit	40.000-0.000	From BCBSOK	<b>♥</b> ::::::::::::::::::::::::::::::::::::	74.48
Mai 17 Electronic Deposit		Tion Bobook		7 T.TO
Mar 14 Electronic Deposit		From BCBSOK		272.66
:				2,2,00
Mar 15 Image Cash Letter Dep	oosit	onstruction and the second	000000000000000000000000000000000000000	17.51
Mar 18 Image Cash Letter Dep				36.00
M 40 I O I D	5.5.533.0000000000000000000000000000000			00.40



#### **BALANCE YOUR ACCOUNT**

examine this statement immediately. We will assume that the balance and transactions shown are correct unless you notify us of an error.

Outstanding Deposits	
DATE	AMOUNT
TOTAL	¢

# **Outstanding Withdrawals** AMOUNT DATE

- 1. List any deposits that do not appear on your statement in the Outstanding Deposits section at the left. Record the total.
- Check off in your checkbook register all checks, withdrawals (including Debit Card and ATM) and automatic payments that appear on your statement. Withdrawals that are NOT checked off should be recorded in the Outstanding Withdrawals section at the left. Record the total.

3.	Enter the ending balance shown on this statement.	\$
4.	Enter the total deposits recorded in the Outstanding Deposits section.	\$
5.	Total lines 3 and 4.	\$
6.	Enter the total withdrawals recorded in the Outstanding Withdrawals section.	\$
7.	Subtract line 6 from line 5. This is your balance.	\$

- 8. Enter in your register and subtract from your register balance any checks, withdrawals or other debits (including fees, if any) that appear on your statement but have not been recorded in your register.
- Enter in your register and add to your register balance any deposits or other credits (including interest, if any) that appear in your statement but have not been recorded in your register.
- 10. The balance in your register should be the same as the balance shown in #7. If it does not match, review and check all figures used, and check the addition and subtraction in your register. If necessary, review and balance your statement from the previous month.

#### IMPORTANT DISCLOSURES TO OUR CONSUMER CUSTOMERS

# In Case of Errors or Questions About Your Checking, Savings, ATM, Debit Card, ACH, Bill Pay and Other Electronic Transfers

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· Tell us your name and account number.

TOTAL

- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

We will determine whether an error occurred within 10 business days after we hear from you and will correct any error promptly. If we need more time, we may take up to 45 days to investigate your complaint. For errors involving new accounts, point-of-sale, or foreign-initiated transactions, we may take up to 90 days to investigate your complaint. If we decide to do this, we will credit your account within 10 business days for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation. If we ask you to put your complaint or question in writing and we do not receive it within 10 business days, we may not credit your account.

\*Please note: Paper draft and paper check claims must be disputed within 30 days per Your Deposit Account Agreement.

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- Account information: Your name and account number.
- Dollar Amount: The dollar amount of the suspected error.
- Description of problem: If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement.

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- · We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- · While you do not have to pay the amount in question, you are responsible for the remainder of your balance.
- · We can apply any unpaid amount against your credit limit.

Reserve Line Balance Computation Method: To determine your Balance Subject to Interest Rate, use the dates and balances provided in the Reserve Line Balance Summary section. The date next to the first Balance Subject to Interest is day one for that balance and is applicable up to (but not including) the date of the next balance (if there is one). We multiply the Balance Subject to Interest by the number of days it is applicable and add them up to get the same number of days in the billing cycle. We then divide the result by the number of billing days in the cycle. This is your Balance Subject to Interest Rate. Any unpaid interest charges and unpaid fees are not included in the Balance Subject to Interest. The \*\*\*INTEREST CHARGE\*\*\* begins from the date of each advance.

#### REPORTS TO AND FROM CREDIT BUREAUS FOR RESERVE LINES

We may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

#### **CONSUMER REPORT DISPUTES**

We may report information about account activity on consumer and small business deposit accounts and consumer reserve lines to Consumer Reporting Agencies (CRA). As a result, this may prevent you from obtaining services at other financial institutions. If you believe we have inaccurately reported information to a CRA, you may submit a dispute by calling 844.624.8230 or by writing to: U.S. Bank Attn: Consumer Bureau Dispute Handling (CBDH), P.O. Box 3447, Oshkosh, WI 54903-3447. In order for us to assist you with your dispute, you must provide: your name, address and phone number; the account number; the specific information you are disputing; the explanation of why it is incorrect; and any supporting documentation (e.g. affidavit of identity theft), if applicable.





CAH ACQUISITION COMPANY 12 LLC

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4817 **Business Statement** 



Statement Period: Mar 1, 2019 through Mar 31, 2019

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ANAL	YZED CHECKING				10	EONTINUED)
U.S. Bank I	National Association			Acco	unt Number	
Other D	Deposits (continued)					
Date	Description of Transaction			Ref Number		Amount
Mar 20	Electronic Deposit	From HEALTH CA	RE AUTH			478.05
Mar 20	Electronic Deposit	From HEALTH CA	RE AUTH			544.70
Mar 21	Electronic Deposit	From BCBSOK				143.40
Mar 21	Electronic Deposit	From BCBSOK				257.47
Mar 22	Image Cash Letter Deposit					23.40
	Image Cash Letter Deposit					17.90
Mar 25	Image Cash Letter Deposit					46.79
	Image Cash Letter Deposit					50.00
Mar 25	Image Cash Letter Deposit					151.89
Mar 27	Electronic Deposit	From HEALTH CA	RE AUTH			384.56
Mar 27	Electronic Deposit	From HEALTH CA	RE AUTH			1,425.91
Mar 28	Image Cash Letter Deposit					60.23
	Image Cash Letter Deposit			000000000000000000000000000000000000000		101.27
	Electronic Deposit	From BCBSOK				110.12
IVIAI 20	Electronic Deposit	FIOIII BCBSOK				110.12
Mar 28	Electronic Deposit	From BCBSOK				185.04
Mar 29	Image Cash Letter Deposit	<u> </u>				82.81
	Image Cash Letter Deposit					898.91
			Tot	al Other Deposits	\$	8,918.45
Other V	Vithdrawals					
Date	Description of Transaction			Ref Number		Amount
	Analysis Service Charge				\$	110.48-
Mar 25	NY GARNISHMENT GT	R SOURCE LLC				5,768.87-
			Total C	ther Withdrawals	\$	5,879.35-
Balance	e Summary					
Date	Ending Balance	Date	Ending Balance	Date	Ending E	
Mar 1	2,066.44	Mar 13	5,581.68	Mar 21	7,3	330.58
Mar 4	2,150.70	Mar 14	5,830.05	Mar 22	7,3	353.98
Mar 5	2,359.50	Mar 15	5,847.56	Mar 25		351.69
Mar 6	3,921.84	Mar 18	5,883.56	Mar 27		662.16
Mar 7	4,168.30	Mar 19	5,906.96	Mar 28	4,1	118.82
Mar 8	4,325.30	Mar 20	6,929.71	Mar 29	5,1	100.54
Mar 11	4,413.68					
Balar	nces only appear for days reflecting	change.				

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# FORM 2 CASH RECEIPTS AND DISBURSEMENTS RECORD

Case No. 19-01229-5-JNC

Case Name: CAH Acquisition Company 12, LLC d/b/a Fairfax Community Hospital

Taxpayer ID #: 27-1730967

For Period Ending: 10/15/2020

Trustee Name: Thomas W. Waldrep, Jr.
Bank Name: N/A

Checking Acct. #: N/A

Blanket bond (per case limit): \$10,000.00
Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check or Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Checking Account Balance
			Due to the brief pendency of this case, the Trustee never obtained or exercised practical control over the funds held by the Debtor in its various deposit accounts. The Trustee's interaction with and control over the Debtor's deposit accounts was limited to (i) confirmation that such accounts existed by the appropriate financial institutions, (ii) access to daily balance information reporting for the Debtor's US Bank accounts, and (iii) receipt of US Bank statements for the Debtor's US Bank accounts following the dismissial of the Debtor's case.				

**COLUMN TOTALS** 

Less: Bank transfers/CDs

Subtotal

Less: Payments to debtors

Net

\$0.00

\$0.00

\$0.00

# **United States Bankruptcy Court Eastern District of North Carolina**

In Re: Case No. 19-01229-5-JNC

CAH ACQUISITION COMPANY 12, LLC, d/b/a FAIRFAX COMMUNITY HOSPITAL,

Chapter 11

Debtor(s)

Bankruptcy Administrator's Statement of Position
Regarding TRUSTEE'S FINAL REPORT AND REQUEST FOR FINAL ORDERS
APPROVING OF ADMINISTRATIVE EXPENSES AND ENTRY OF FINAL DECREE
PURSUANT TO BANKRUPTCY RULE 3022 CLOSING THE CASE

- 1. Section 317(b) of Title III of the Judicial Improvements Act of 1990 gives the Bankruptcy Administrator standing to appear in cases filed under Title II of the United States Code. This Bankruptcy Administrator's Statement of Position Regarding TRUSTEE'S FINAL REPORT AND REQUEST FOR FINAL ORDERS APPROVING OF ADMINISTRATIVE EXPENSES AND ENTRY OF FINAL DECREE PURSUANT TO BANKRUPTCY RULE 3022 CLOSING THE CASE is filed pursuant to that authority.
- 2. I, Marjorie K. Lynch, Bankruptcy Administrator for the Eastern District of North Carolina, hereby certify that I have reviewed the Trustee's Final Report and Request for Final Orders Approving of Administrative Expenses and Entry of Final Decree Pursuant to Bankruptcy Rule 3022 Closing the Case submitted by Thomas W. Waldrep, Jr., the trustee in the above captioned chapter 11 case, and have found no basis upon which to raise any objection.

Dated: October 5, 2020

/s/Marjorie K. Lynch Marjorie K. Lynch Bankruptcy Administrator